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OLC 71-2132

30 December 1971

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT: Developments During Your Absence

1. Death of Representative George Andrews

Andrews died Christmas Day in Birmingham following complications from heart surgery. General Cushman sent condolences on your behalf. No word yet on his replacement on our Subcommittee, but I think Mahon would find it difficult to pass over Bob Sikes and Jamie Whitten. Whitten has seniority on the full Committee, but Sikes has seniority on the Defense Subcommittee and would, of course, be far better from our point of view.

2. Press Statement by Representative Nedzi

On 19 December Nedzi was quoted as saying, in response to some questions by the press regarding intelligence, that he didn't know if the taxpayers were getting their money's worth because only the Budget Bureau and the Kremlin knew how much we were spending. (Tab A) On 23 December I had a lengthy session with Nedzi and Frank Slatinshek during which Slatinshek very helpfully took the initiative in raising this issue. I followed up by saying that what Nedzi said to the press was his business, but we were concerned about the implication that we were not coming clean with him, recalling that we had a budget briefing all set during his Headquarters visit but time didn't permit us to include it and the ball was in his court for a follow-up session. Nedzi responded defensively, commenting that the press was constantly pressing him for comments on the intelligence community, and in this case had quoted him out of context. He said that in fact he didn't know the figures on the community budget, but had tried to make clear to the press this was simply because he hadn't gotten around to covering the subject in his sessions with the various members of the community. In any event,

State Dept. review(s) completed.

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he said he welcomed the chance to clarify his remarks and urged that if his public comments ever caused us concern in the future we promptly let him know. He was apologetic for not giving us an opportunity to complete the originally scheduled briefings, but promised to be in touch with us early in the year. I said we would be ready at any time, and in order that he be generally informed in the meantime I gave him the totals for our FY 1971 and FY 1972 budgets, and our personnel strength, none of which seemed to trouble him.

I brought Nedzi up-to-date on the bad news from Laos, and Slatinshek volunteered the comment that we had never tried to sugarcoat our problems there.

I gave Nedzi the charts he had requested earlier depicting the old and new community structure, but he persisted in professing puzzlement as to the real purposes and significance of the changes. I gave him the party line on economy and efficiency based on the original White House announcement. He said this was what everybody had told him but he still wasn't convinced. He asked about the appointment of a new Deputy and I said this was a matter which you considered strictly a Presidential prerogative, and that in such matters the President apparently preferred to play his cards close to his chest.

Following up his earlier expression of interest in the espionage laws we explained the present status of work on this subject by the National Commission on Criminal Law Reform and the Justice and Defense Departments. We said we might call on Nedzi for assistance when we got down to the final nitty gritty provisions of the Code after some tedious technical problems had been resolved.

3. Lowenstein and Moose Thailand Survey

Lowenstein and Moose are taking off on 6 January on a survey trip [] for Symington's Subcommittee on U.S. Security Agreements and Commitments Abroad. Their pre-trip briefing by [] and [] went well, []. In connection with their trip, Lowenstein and Moose have requested through []

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and the State Department's note on it." We have told State that these were matters that would have to await your return. I recommend that we pass the word back through State that we:

N.B. // a. do not provide Agency strength figures to congressional staff personnel outside of our own Subcommittees; and

b. cannot give them the SNIE but would be willing to brief them on the intelligence community position on the subject since this is what we do when the DCI briefs the Committee.

If you agree to these recommendations, we will so inform State.

On 17 December I had a strictly "off-the-record" luncheon conversation with Lowenstein and Moose at their invitation. They said they had a problem with the Committee and would like our reaction to a proposed solution. They explained that several Committee members had been critical of their earlier trip reports for not digging deeply enough into Agency activities. They identified Fulbright, Mansfield, Church, Symington, Aiken, Case and Javits as chief among these critics, remarking that Cooper, Spong, Sparkman, and Pell were somewhat less critical and McGee, Scott and Pearson were generally friendly toward the Agency. Lowenstein, who did most of the talking, said that he felt the suspicions underlying these criticisms could best be allayed if they could report in some detail on just

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[REDACTED]

report. I said I could offer no encouragement but we would think it over.

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Let's discuss this with [unclear]

Ng. 11

I recommend telling Lowenstein and Moose that the kind of information they are interested in is readily available at Headquarters and we will discuss their proposal here on their return (which I think we can best do after we find out how things go during their visit to the field). If you approve, I will do so before their departure on 6 January.

So far as the main purpose of the Lowenstein and Moose trip is concerned, it appears that they are acting on the assumption that the best way for Congress to control U.S. involvement in Southeast Asia is through monetary and personnel ceilings. There are now such ceilings in Laos [] and their interest in money and manpower in [] suggests a legislative effort to plug up any ratholes there.

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4. Senate Resolution 192

On 21 December Alex Johnson sent you a note (Tab B) apologizing for not discussing with you, before it was sent to OMB, State's proposed comments on Symington's Resolution calling for a select committee, composed of Foreign Relations and Armed Services Committee members, to oversee the coordination of the activities of U.S. agencies [] operating abroad under the authority of the ambassador. I had earlier tried to persuade State to oppose this Resolution on the grounds that:

a. Such an oversight function by the Congress would infringe upon the ambassador's unique authority as personal representative of the President, and

b. The formation of such a new committee would create jurisdictional problems with existing oversight committees.

The Resolution has been referred jointly to the Foreign Relations and Armed Services Committees, and we have told Braswell of our concern about it. The Senate cannot consider the Resolution until it has been reported out by both Committees, and Armed Services may sit on it for awhile, but I thought you should know its status, and our views on it, in case Alex Johnson or someone mentions it to you.

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5. Foreign Aid Legislation:

As the Congress recessed for the holidays the conferees on the Foreign Aid bill finally reached agreement and reported out a bill without Mansfield's "end the war" amendment. The Conference Report was accepted by the Senate and will be taken up by the House when it reconvenes.

25X1 You will recall my reporting that the Administration was able to eliminate from the bill the section which would have precluded future military operations in Laos. No change was made in the Symington amendment [] however. This provision, like his similar amendment for Laos in the Military Procurement Authorization bill, places a ceiling (\$341 million) on expenditures [] in FY 1972. 25X1 It also establishes a requirement for specific authorization for future expenditures and for reports to the Congress covering all funds expended under the ceiling.

25X1A In the case of the amendment on Laos we were able to get in the Conference Report a statement saying that the Congress did not intend to include in the ceiling the normal costs of operating the embassy and conducting activities unrelated to military assistance. We asked Administration spokesmen to press for similar language in the Conference Report on the Foreign Aid bill provision [] but they were not successful. The original Foreign Relations Committee report specifically [] We 25X1 25X1 feel it can be argued that this language meant [] and is not inconsistent with the understanding reached with Symington on his amendment concerning Laos. We might clarify this by raising the issue with Symington, but I recommend and OGC agrees, that we proceed on the assumption that he intended that both of his amendments be interpreted in the same way and that he had no intention of their applying to the cost of our normal operations [] Unless you disagree, we'll go ahead on this basis, at least until someone calls us on it.

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6. Symington Travel

As of this writing, Senator Symington, (travelling with Mrs. Symington and Art Kuhl of the Committee staff) has been briefed

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[REDACTED] [REDACTED]

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No serious Agency problems have been reported, and the following points have emerged during his station contacts:

a. He is primarily interested in U.S. commitments abroad, particularly regarding deployment of nuclear weapons.

b. He is convinced that the President has no intention of withdrawing from Southeast Asia and that every effort must be made by Congress to restrict U.S. involvement there.

c. He continues to criticize the rest of the intelligence community and claims to be concerned about the new DDCI appointment only to the extent of assuring that the new appointee is 'Helms' man. "

[REDACTED] our "no win" policy in Vietnam, and our "hands off" policy toward Cuba.

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e. He is "disgusted and bitter" (his own words) at our weakness in dealing with the big powers and our toughness toward the small ones (such as Taiwan).

f. While in Saigon he expressed interest in the recent intensified air operations, infiltration trends, the pacification program, FANK capabilities in Cambodia, and, particularly, the current situation in Laos.

g. He is trying to get a visa to visit Peking.

You may have heard that Symington was shaken up in an automobile accident in Seoul (painful shoulder bruise) but this did not keep

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him from meeting [] at the hospital. He will meet Lowenstein and Moose in Rome around 9 January as he winds up his trip and Lowenstein and Moose begin theirs.

7. Ellender Travel

Senator Ellender has had no station contact thus far in his travels to and from the Antarctic. We have advised stations along the way not to seek him out but to be responsive and cooperative if they run into him.

8. Staff Briefings on Laos

Our Subcommittee staffs (Woodruff, Braswell, Preston and Slatinshek) have been kept up-to-date on developments in Laos and have assumed responsibility for keeping their principals informed as appropriate during the holidays. In addition, I personally briefed Representative Nedzi, the only Committee member available, on the situation on 19 December.

9. Senator Margaret Chase Smith

In view of your interest in an early call on Senator Smith, I attach (Tab C) Maxine Cheshire's story from the 30 December Post telling of her vigil at the bedside of the ailing Bill Lewis.

10. Congressional Briefings

There is nothing firm on planned Committee briefings when Congress reconvenes, but on 30 December Braswell mentioned Stennis' previously expressed desire for an early world roundup for the full Armed Services Committee, and speculated that it might be scheduled for the last week in January. He indicated there would probably be particular

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interest in Southeast Asia, and especially the situation in Laos. When I saw Nedzi he mentioned his desire for an early discussion of Agency matters, and there's always the possibility of a request from Foreign Relations and the Joint Committee on Atomic Energy. Bill Newton has already called for contributions for a world roundup, tailored primarily for Senate Armed Services but no doubt suitable for other purposes, and plans to have a draft available for your review around 11 January.

11. Welcome home and Happy New Year!

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John M. Maury
Legislative Counsel

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OLC 71-2142

30 December 1971

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT: Supplement -- Symington Travel

25X1A On 29 December Senator Symington spent an hour with [] 25X1
[] during which he:

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[]

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b. Left with the Ambassador a list of follow up questions for written response including "what is the program for sending [] Please detail", explaining to [] he wanted the same material in writing which he had been given in the oral briefing, adding that some of this information was "different" from that he had gotten in Washington.

c. Spoke highly of you and the Agency, and expressed

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[]
John M. Maury
Legislative Counsel

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MEMORANDUM FOR: The Director

Pages 3, 4 and 5 contain recommendations
on which I would appreciate your reaction when
convenient.

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John M. Maury
Legislative Counsel

30 December 1971
(DATE)

FORM NO. 101 REPLACES FORM 10-101
1 AUG 54 WHICH MAY BE USED.

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UPI-34

(CIA)

WASHINGTON--THE NEW CHAIRMAN OF A HOUSE SUBCOMMITTEE ON U.S. INTELLIGENCE AGENCIES SAYS HE DOESN'T KNOW IF THE TAXPAYERS ARE GETTING THEIR MONEY'S WORTH BECAUSE ONLY THE BUDGET BUREAU AND THE KREMLIN KNOW HOW MUCH THE COUNTRY SPENDS ON INTELLIGENCE.

"PERHAPS THEY ARE THE ONLY ONES," SAID REP. LUCIEN NEDZI, D-MICH. "WE SIMPLY DON'T HAVE THAT KIND OF DETAILED INFORMATION."

SINCE AUGUST, NEDZI HAS HEADED AN ARMED SERVICES COMMITTEE PANEL CHARGED WITH OVERSEEING INTELLIGENCE WORK. BUT HE TOLD A TEAM OF UPI NEWSMEN IN A WASHINGTON WINDOW INTERVIEW: "I HAVE TO BE CANDID AND TELL YOU I DON'T KNOW WHETHER WE ARE GETTING OUR MONEY'S WORTH."

WHEN ASKED WHAT THE U.S. SPENDS ON ACTIVITIES OF THE CENTRAL INTELLIGENCE AGENCY AND OTHER GOVERNMENT INTELLIGENCE WORK, NEDZI QUOTED A RECENT NEWSWEEK MAGAZINE ESTIMATE OF \$6 BILLION AND SAID, "I CAN'T CONFIRM THAT AT THIS POINT."

RECENT SENATE DEBATE SUGGESTED THAT INTELLIGENCE IS COSTING THE U.S. \$4 BILLION OR MORE ANNUALLY.

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The Honorable
J. W. Fulbright
Chairman, Committee on Foreign Relations
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

Thank you for your letter of November 17, 1971 inviting comments on S. RES. 192 which would create a committee to be known as the Select Committee on the Coordination of United States Government Activities Abroad.

Of course to the extent that S. RES. 192 involves the organization of the Senate, it raises questions which are essentially within the purview of the Senate to decide. The Department, for its part, believes that such a committee could contribute to a more effective mutual understanding between the Congress and the Executive Branch in the conduct of foreign affairs.

The Department foresees, however, possible difficulties and misunderstandings in the interpretation and implementation of SEC. 4 that could seriously obstruct the above objective. This Section would provide that "all departments and agencies of the United States Government which conduct activities abroad under the authority of any Ambassador of the United States shall keep the select committee fully and currently informed of their activities abroad." The phrase "fully and currently" might be interpreted as covering such things as Presidential instructions to his personal representatives, advice offered by individual officers in the decision-making and policy recommending process, internal working papers, confidential communications and negotiations with foreign governments and other similarly sensitive information concerning day-to-day operations. If SEC. 4 were to be so interpreted, it would impair the effective functioning of the Executive Branch in carrying out its constitutional responsibilities.

It is the Department's deeply held wish that the Congress be sufficiently well-informed of United States overseas activities to enable it to evaluate them on a timely basis. To this end the Department suggests alternative wording for SEC. 4 along one or more of the following lines:*

- a) "All departments and agencies ... shall keep the select committee [fully and currently] generally informed on a timely basis of their activities abroad."; or
- b) "All departments and agencies ... shall keep the select committee [fully and currently] informed on a timely basis of the nature of their activities abroad."

The Department also wishes to note in passing that compliance with SEC. 4 might result in a considerable duplication of the information supplied to the Select Committee and to other Congressional Committees interested in foreign and national security affairs.

The Department would not object to S. RES. 192 with amendments such as those suggested above.

Sincerely,

David M. Abshire
Assistant Secretary for
Congressional Relations

* Proposed additions -- underlined
Proposed deletions --- in brackets

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